



General Assembly

February Session, 2014

Raised Bill No. 375

LCO No. 2048



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

***AN ACT CONCERNING CONSUMER RENTAL CAR COST
REIMBURSEMENT AND USED MOTOR VEHICLE WARRANTIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 42-221 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2014*):

3 (a) A dealer selling a used motor vehicle which has a cash purchase
4 price of three thousand dollars or more shall not exclude, modify,
5 disclaim or limit implied warranties on the motor vehicle.

6 (b) Each contract entered into by a dealer for the sale to a consumer
7 of a used motor vehicle which has a cash purchase price of three
8 thousand dollars or more but less than five thousand dollars, shall
9 include an express warranty, covering the full cost of both parts and
10 labor, that the vehicle is mechanically operational and sound and will
11 remain so for at least thirty days or one thousand five hundred miles
12 of operation, whichever period ends first, in the absence of damage
13 resulting from an automobile accident or from misuse of the vehicle by
14 the consumer. Each contract entered into by a dealer for the sale of a

15 used motor vehicle which has a cash purchase price of five thousand
16 dollars or more shall include an express warranty, covering the full
17 cost of both parts and labor, that the vehicle is mechanically
18 operational and sound and will remain so for at least sixty days or
19 three thousand miles of operation, whichever period ends first, in the
20 absence of damage resulting from an automobile accident or from
21 misuse of the vehicle by the consumer. A dealer may not limit a
22 warranty [covered by] required under this section by the use of [such]
23 phrases such as "fifty-fifty", "labor only", "drive train only", or other
24 words attempting to disclaim [his] the dealer's responsibility. Any
25 warranty required under this section shall include coverage of the full
26 cost of a rental motor vehicle for any day such used motor vehicle is
27 not operational and is being repaired under the warranty.

28 (c) The provisions of this section shall not apply to: (1) The sale of a
29 used motor vehicle having a cash purchase price of less than three
30 thousand dollars; (2) the sale of such motor vehicles between dealers;
31 or (3) the sale of a used motor vehicle which is seven years of age or
32 older, which age shall be calculated from the first day in January of the
33 designated model year of such vehicle.

34 (d) The consumer may waive a warranty required [pursuant to]
35 under this section only as to a particular defect in the vehicle which the
36 dealer has disclosed to the consumer as being defective. No such
37 waiver shall be effective unless such waiver: (1) Is in writing; (2) is
38 conspicuous, as defined in subdivision (10) of subsection (b) of section
39 42a-1-201, and is in plain language; (3) identifies the particular
40 disclosed defect in the vehicle for which such warranty is to be waived;
41 (4) states what warranty, if any, shall apply to such disclosed defect;
42 and (5) is signed by both the [customer] consumer and the dealer prior
43 to sale.

<p>This act shall take effect as follows and shall amend the following sections:</p>
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Section 1	<i>July 1, 2014</i>	42-221
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Statement of Purpose:

To require used car dealers to pay a consumer's rental car costs for certain used cars being repaired under a used motor vehicle dealer warranty.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]